

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

ISLAND VIEW CROSSING II, L.P.,

Debtor.

**KEVIN O'HALLORAN, in his capacity
as Chapter 11 Trustee for ISLAND
VIEW CROSSING II, L.P.,**

Plaintiff,

vs.

PRUDENTIAL SAVINGS BANK,

Defendant.

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: **CHAPTER 11**
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: **BKY. NO. 17-14454 (ELF)**
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: **ADV. NO. 17-00202 (ELF)**
: **ADV. NO. 18-00280 (ELF)**
: **(Consolidated)**
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P R E T R I A L O R D E R # 6

AND NOW, this 6th day of July 2020, following a status conference, it is hereby

ORDERED that:

1. The pretrial deadlines previously established are **EXTENDED** as set forth below:

- a. All motions to amend the pleadings, or for summary judgment,¹ shall be filed **on or before October 1, 2020**. If such a motion or motions is/are filed, the parties are **not relieved** of their obligation to comply with the terms of

¹ A motion for summary judgment shall include a separate statement of those material facts that the movant contends are not in dispute with supporting citations to the record. Failure to comply with this requirement shall be grounds for summary denial of the motion.

the balance of this Pretrial Order.

- b. All discovery disclosures pursuant to Fed. R. Civ. P. 26(a)(3) shall be served on opposing parties and filed with the bankruptcy court **on or before October 2, 2020.**
 - c. Any objections to Rule 26(a)(3) disclosures shall be served on opposing counsel and filed with the bankruptcy court **on or before October 9, 2020.**
 - d. **On or before October 23, 2020,** the parties shall file a joint pretrial statement. The joint pretrial statement shall be signed by all counsel. ***It is the obligation of the Plaintiff's counsel to initiate the procedures for its preparation and to assemble and submit the proposed pretrial statement to the court.*** Plaintiff's counsel shall submit a proposed joint pretrial statement to Defendant's counsel not less than 7 days prior to the deadline for its submission. Counsel are expected to make a diligent effort to prepare a proposed pretrial statement in which will be noted all of the issues on which the parties are in agreement and all of those issues on which they disagree. The proposed pretrial statement shall govern the conduct of the trial and shall supersede all prior pleadings in the case. Amendments will be allowed only in exceptional circumstances and to prevent manifest injustice.
2. The joint pretrial statement shall be in the following form as stated in Amended Pretrial Order # 5.
3. A mandatory final pretrial/settlement conference shall be held on **October 28, 2020, at 11:00 a.m., in Bankruptcy Courtroom No. 1, Robert N.C. Nix Federal Building & Courthouse, 900 Market Street, Second Floor, Philadelphia, Pennsylvania.**
4. If the adversary proceeding is not resolved prior to the conclusion of the final pretrial/settlement conference, the adversary proceeding shall be scheduled for trial at the court's first available date.
5. Each party may file, no later than five (5) days prior to the date of trial, a trial memorandum with service on the opposing party(ies).

6. All trial exhibits shall be pre-marked and exchanged at least three (3) business days prior to the date of trial, with copies provided to the court.
7. **The trial may be continued only in exceptional circumstances on Motion and leave of court.**

Date: July 6, 2020

A handwritten signature in black ink, appearing to be 'ERL', written over a horizontal line.

ERIC L. FRANK
U.S. BANKRUPTCY JUDGE